

PETITION
HABEAS CORPUS

FILED
RICHARD W. HAGEL
CLERK OF COURT

2020 JUL 14 AM 11:10

U.S. DISTRICT COURT
SOUTHEAST DIST. OHIO
WESTERN DIV. CLEVELAND

THE ADULT PAROLE AUTHORITY
PLAINTIFF;

vs.

PETITION; UNLAWFUL

IMPRISONMENT; ? DEFENDANT
IS BEING DOUBLE JEOPARDIZED;

HARRISON D. WILLIAMSON JR
DEFENDANT;

OHIO REVISED CODE
"2725"

NOW COMES THE DEFENDANT ASKING THAT THIS HONORABLE COURT
GRANT RELIEF AFTER BEING UNLAWFULLY IMPRISONED, AND DOUBLE JEOPARDIZED
BY THE ADULT PAROLE AUTHORITY WITH REASONS AND FACTS, AS FOLLOWS;

DEFENDANT WAS SENTENCED IN (2006) TO (9) YEARS FOR AGGRAVATED
ROBBERY; WHEREAS UPON THE DEFENDANT'S RELEASE ON JANUARY 29th 2015
DEFENDANT WAS TO SERVE A MANDATORY (5) YEAR TERM ON POST-RELEASE-
CONTROL. IN ADDITION, THE DEFENDANT WAS CHARGED IN (2016) WITH
A (F3) (HAVING WEAPONS WHILE UNDER DISABILITY) AND WAS SENTENCED
TO A (1) YEAR SENTENCE, PRISON # 729-872. THE ADULT PAROLE AUTHORITY
"STACKED" THE SANCTION AVAILABLE FROM THE PRIOR (5) YEAR TERM TO
THE DEFENDANT'S NEW PRISON #. THE (5) YEAR TERM WAS TERMINATED
AND COMPLETED ON THE DATE OF JANUARY 28th 2020, AS WELL AS
THE (1) YEAR SENTENCE (PRC) TERM WAS TERMINATED AS OF
NOVEMBER 1st 2019.

FURTHERMORE, THE DEFENDANT WAS CHARGED WITH A (F5)
(POSSESSION OF COCAINE) WHEREAS THE DEFENDANT WAS SENTENCED TO AN
(1) MONTH PRISON SENTENCE ON MARCH 20th 2019, PRISON # 756-981 CURRENT #.

Two of Two;

The Defendant was released on the (Felony 5) charge on February 18th 2020, whereas the Adult Parole Authority issued a new (3) year mandatory (PRC) term for the current charge of (possession of cocaine). Upon Defendants release on 2/18/20 the Supervising officer ordered the Defendant into the Volunteers of America (VOA) in Dayton, Ohio.

On 4/16/20 the Defendant was violated (violations attached) with no new or pending felony.

A hearing was conducted on these violations on 6/11/20 where the Defendant learned that the Adult Parole Authority took sanction time from my prior terminated terms, and "stacked" them on my current (3) year term for possession of cocaine.

The Adult Parole Authority have been terminating terms in partial, but withholding the sanction time only to "stack" it against the parolee, which is clearly double jeopardy.

Furthermore, according to the Adult Parole Authority in order to violate a parolee and sentence the parolee to a prison term, there must be a new felony either pending, or sentenced in a court, whereas the Defendant has not caught a new charge under this sanction.

In addition, the Defendant was given (270) days under a term that's (5 1/2) years old, and has been terminated as of 1/28/20, when Defendant served his (9) year sentence under prison # A527-09 day for day, only to still pay a debt to society that's already been paid.

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FURTHERMORE, THE DEFENDANT ALSO ARGUES THE (3) YEAR TERM GIVEN BY THE ADULT PAROLE AUTHORITY ON AN (FELONY 5) WHICH IS A RARE CHARGE THAT (PRC) IS GIVEN ON ANY DEFENDANT.

THE DEFENDANT IS ONLY ASKING THAT THIS COURT GRANT RELIEF, AFTER PROOF THAT THE ADULT PAROLE AUTHORITY (PRC) IS CLEARLY ABUSING THEIR AUTHORITY, BY TERMINATING TERMS, BUT WITHHOLDING THE SANCTION TIME ASIDE TO "STACK" AGAINST THE PAROLEE IF THE PAROLEE EVER GETS ON POST-RELEASE-CONTROL AGAIN, THIS IS CLEARLY "DOUBLE JEOPARDY" FOR ANY PAROLEE.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A COPY WAS MAILED OUT ON THIS 15th DAY OF JUNE 2020, AND ALL BROUGHT FORTH IN THIS PETITION IS ACCURATE AND TRUE, TO 200 W. FIRST STREET, DAYTON, OHIO 45402

THE DEFENDANT HAS BROUGHT FORTH THIS PETITION TO FILE A HABEAS CORPUS TO THE BEST OF HIS KNOWLEDGE, DUE TO HIS RIGHT TO ACCESS A LEGAL LAW LIBRARY HAS BEEN DENIED BECAUSE OF A STATE OF EMERGENCY HERE AT THE CORRECTIONAL RECEPTION CENTER.

THE DEFENDANT IS CURRENTLY GOING (17 1/2) HOURS BETWEEN MEALS WHERE DINNER IS SERVED AROUND 4:00PM AND THE NEXT MEAL IS AROUND 10:00AM THE NEXT DAY, AS WELL AS BEING HARASSED AROUND INMATES THAT HAS TESTED POSITIVE FOR THE CURRENT CORONAVIRUS (COVID-19).

PLEASE TAKE THIS INTO CONSIDERATION TO GRANT DEFENDANT RELIEF.

Sincerely,
MR. HARRISON D. WILLIAMS JR.
#756-981